

110TH CONGRESS
2D SESSION

S. 3231

To amend the High Seas Driftnet Fishing Moratorium Protection Act and the Magnuson-Stevens Fishery Conservation and Management Act to improve the conservation of sharks.

IN THE SENATE OF THE UNITED STATES

JULY 8, 2008

Mr. KERRY introduced the following bill; which was read twice and referred to the Committee on Commerce, Science, and Transportation

A BILL

To amend the High Seas Driftnet Fishing Moratorium Protection Act and the Magnuson-Stevens Fishery Conservation and Management Act to improve the conservation of sharks.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Shark Conservation
5 Act of 2008”.

6 **SEC. 2. IMPROVED CONSERVATION OF SHARKS.**

7 (a) AMENDMENT OF HIGH SEAS DRIFTNET FISHING
8 MORATORIUM PROTECTION ACT.—Section 610(a) of the

1 High Seas Driftnet Fishing Moratorium Protection Act
2 (16 U.S.C. 1826k(a)) is amended—

3 (1) in paragraph (1), by redesignating subpara-
4 graphs (A) and (B) as clauses (i) and (ii), respec-
5 tively;

6 (2) by redesignating paragraphs (1) through
7 (3) as subparagraphs (A) through (C), respectively;

8 (3) by striking the matter preceding subpara-
9 graph (A), as redesignated by paragraph (2) of this
10 section, and inserting the following:

11 “(a) IDENTIFICATION.—The Secretary shall identify,
12 and list in the report under section 607—

13 “(1) a nation if—”;

14 (4) in paragraph (1)(C), as so redesignated by
15 paragraph (2) of this section, by striking the period
16 at the end and inserting “; or”; and

17 (5) by adding at the end the following:

18 “(2) a nation if—

19 “(A) fishing vessels of that nation are en-
20 gaged, or have been engaged during the pre-
21 ceding calendar year, in fishing activities or
22 practices that target or incidentally catch
23 sharks; and

24 “(B) the nation has not adopted a regu-
25 latory program to provide for the conservation

1 of sharks, including measures to prohibit any
 2 removal of the fins of a shark (including the
 3 tail) and discarding the carcass of the shark at
 4 sea, that is comparable to that of the United
 5 States, taking into account different condi-
 6 tions.”.

7 (b) AMENDMENT OF MAGNUSON-STEVEN'S FISHERY
 8 CONSERVATION AND MANAGEMENT ACT.—Section 307(1)
 9 of Magnuson-Stevens Fishery Conservation and Manage-
 10 ment Act (16 U.S.C. 1857(1)) is amended—

11 (1) by amending subparagraph (P) to read as
 12 follows:

13 “(P)(i) to remove any of the fins of a
 14 shark (including the tail) at sea;

15 “(ii) to have custody, control, or possession
 16 of any shark fin aboard a fishing vessel unless
 17 it is naturally attached to the corresponding
 18 carcass;

19 “(iii) to transfer any shark fin from one
 20 vessel to another vessel at sea, or to receive any
 21 shark fin in such transfer, without the fin natu-
 22 rally attached to the corresponding carcass; or

23 “(iv) to land any shark fin that is not nat-
 24 urally attached to the corresponding carcass, or

1 to land any shark carcass without the fins (in-
2 cluding the tail) naturally attached;” and
3 (2) by striking the matter following subpara-
4 graph (R).

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